

REMARKS/ARGUMENTS

Various claims are being amended as shown above. The claim amendments clarify the claim language and are not intended to limit the scope of the claims, unless the claim language is expressly quoted in the following remarks to distinguish over the cited art.

No new matter is introduced by the amendment shown above.

In section 1 of the office action, claim 33 was objected to because of various informalities. Accordingly, claim 33 is being amended to correct the various informalities. For the above reasons, Applicants request reconsideration and withdrawal of the objection to claim 33.

In section 3 of the office action, claims 1-15, 29, and 35 were rejected under the judicially-created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-15 of U.S. Patent No. 6,694,490. Responsive to this rejection, Applicants are hereby filing herewith a terminal disclaimer to overcome the obviousness-type double patenting rejection that is alleged in the office action. Accordingly, claims 1-15, 29, and 35 are now allowable, and Applicants respectfully request the withdrawal of this rejection.

In section 5 of the office action, claims 31, 33, 36, 37, 41-45, and 49 were rejected under 35 U.S.C. §102(e) as

allegedly being anticipated by Dye et al. (USP 6,523,102). Applicants respectfully traverse the rejection.

Dye discloses a computer system (Figure 6) where a Virtual Memory Manager (VMM) 620 allocates active pages 220 and reallocates inactive pages 230 in a main memory subsystem 200. Dye does not disclose the step of reducing a memory capacity in accordance with a determined amount in order to achieve a reduced memory capacity.

Independent claim 31 distinguishes over Dye at least by reciting, an assembly including a device *"having a reduced memory capacity and a dormant memory capacity, wherein a memory capacity of the device is reduced in accordance with a determined amount in order to achieve the reduced memory capacity"*, and such recited features are not disclosed nor suggested by Dye.

Accordingly, claim 31 is patentable over Dye.

Independent claim 33 distinguishes over Dye at least by reciting, a computer assembly including a DIMM *"having a reduced memory capacity and a dormant memory capacity, wherein a memory capacity of the DIMM is reduced in accordance with a determined amount in order to achieve the reduced memory capacity"*, and such recited features are not disclosed nor suggested by Dye.

Accordingly, claim 33 is patentable over Dye.

Independent claim 36 distinguishes over Dye at least by reciting, a method for producing a device having a reduced memory capacity, including *"providing a device having a memory capacity; determining an amount of reduction for the memory capacity of the device; and reducing the memory capacity of the device by the amount of*

reduction in order to produce a device having a reduced memory capacity and a dormant memory capacity", and such recited features are not disclosed nor suggested by Dye.

Accordingly, claim 36 is patentable over Dye.

Independent claim 43 distinguishes over Dye at least by reciting, an apparatus including *"a device having a reduced memory capacity and a dormant memory capacity, wherein a memory capacity of the device is reduced in accordance with a determined amount in order to achieve the reduced memory capacity"*, and such recited features are not disclosed nor suggested by Dye.

Accordingly, claim 43 is patentable over Dye.

Claims 37, 41-42, 44-45 and 49 depend from various ones of claims 36 and 43 are each patentable over Dye for at least the same reasons that claims 36 and 43 are each patentable over Dye.

Each of the claims 37, 41-42, 44-45 and 49 further distinguishes over Dye by reciting additional features. Accordingly, each of the claims 37, 41-42, 44-45 and 49 is patentable over Dye.

For the above reasons, Applicants request reconsideration and withdrawal of this rejection under 35 U.S.C. §102.

In section 7 of the office action, claims 38-40 and 46-48 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dye in view of Dell et al. (USP 6,118,719). Applicants respectfully traverse the rejection.

The Examiner correctly admits in the office action that Dye lacks a method and apparatus for producing a device having a reduced memory capacity further comprising making at least one memory bank as dormant/inactive. In an attempt to overcome the deficiency of Dye, the Examiner relies on Dell in an attempt to show various features.

Dell is directed to a DRAM card 10 that is controlled by a memory controller 14, where a memory bank is activated and deactivated by use of the CAS (column activation stroke) and RAS (row activation stroke) signals.

Claims 38-40 and 46-48 depend from one of the claims 36 and 43 and are patentable over the combination of Dye and Dell for at least the same reasons that claims 36 and 43 are each patentable over the cited references, considered singly or in combination.

Furthermore, each of the claims 38-40 and 46-48 distinguishes over the combination of Dye and Dell by reciting additional features.

Furthermore, it would not have been obvious to combine Dye and Dell as suggested in the office action because the combination would require a substantial reconstruction and redesign of the elements disclosed in the primary reference. (See MPEP 2143.01). For example, there is no suggestion in the references on how to modify the elements in the references so that the computer system of Dye can work with the elements disclosed in Dell. Furthermore, the references do not suggest or disclose any interface circuitry, modules, systems, methods, and/or techniques that permit the computer system of Dye to work with the

elements disclosed in Dell. Therefore, the combination of Dye and Dell is improper.

Accordingly, claims 38-40 and 46-48 are each patentable over the combination of Dye and Dell.

For the above reasons, Applicant requests reconsideration and withdrawal of this rejection under 35 U.S.C. §103.

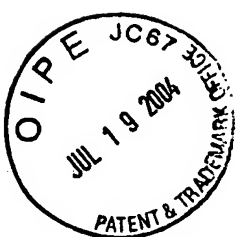
New dependent claims 50-53 are being added and recite features that are not disclosed or suggested by the cited references, considered singly or in combination. Therefore, Applicants request the allowance of claims 50-53.

In section 9 of the office action, claims 32 and 34 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New claims 54 and 55 are being added and are allowable. Claim 54 recites the limitations of claims 32 and base claim 31. Claim 55 recites the limitations of claim 34 and base claim 33. Therefore, Applicants request the allowance of claims 54-55.

For the above reasons, Applicants respectfully request allowance of all pending claims.

If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is respectfully

requested to specifically point out where such teachings may be found.



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CONTACT INFORMATION

If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (805) 681-5078.

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